

UNITED STATES DISTRICT COURT

FOR THE

WESTERN DISTRICT OF PENNSYLVANIA

Alvin George White Jr - PRO SE )  
Plaintiff )  
vs. )  
John E. Wetzel )  
Melinda Adams )  
Marcia combine )  
Defendant \_\_\_\_\_

CIVIL ACTION NO 20-1546

RECEIVED

OCT 13 2020

CLERK, U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

Complaint For Violation of Civil Rights  
(Prisoner complaint)

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Name and address of Plaintiff:

Alvin George White Jr - PRO SE  
JWoods - SCI Mercer  
301 Butler Pike Mercer PA 16137

v.

Full name, title, and business address  
of each defendant in this action:

John E Wetzel - Secretary of Correton  
1930 Technology Parkway  
Mechanicsburg PA 17050

2 Melinda Adams - Superintendent  
SCI Mercer - 301 Butler Pike  
Merger PA 16137

Use additional sheets, if necessary  
Number each defendant.

see Attached

Plaintiff brings this action against the above named and identified defendants on the following cause of action: Individual capacity and OFFICIAL capacity

I. Where are you now confined? SCI Mercer Prison

What sentence are you serving? Parole Violation

What court imposed the sentence? West Chester

II. Previous Lawsuits

A. Describe any and all lawsuits in which you are a plaintiff which deal with the same facts involved in this action. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit

Plaintiffs None

Defendants None

2. Court (if federal court, name the district; if state court, name the county) and docket number

None

3) Marcia Combine - Unit Manager  
SCI Mercer 801 Butler Pike  
Mercer PA 16137

3. Name of judge to whom case was assigned None

4. Disposition (For example: Was the case dismissed? Was it appealed? Is it still pending?)

None

5. Approximate date of filing lawsuit None

6. Approximate date of disposition None

B. Prior disciplinary proceedings which deal with the same facts involved in this action:

None

Where?

When?

Result:

III. What federal law do you claim was violated? 42 CFR 483.10

USC 03 18 USC Personal Injury - Federal Health Laws

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet if necessary.)

A. Date of event: August 26, 2020

B. Place of event: SCI Mercer G+Block

C. Persons involved--name each person and tell what that person did to you: My claim is against the three Named State officials. They are responsible under the Institutional mission statement for my health, safety and life while housed at SCI Mercer. The complaint I was housed on GB, a open dorm with 125 inmates, at the time of the Pa. state wide Lock down. The state implemented social distancing, and other safety practise and guidelines from the CDC. The three officials knew the threat that this open block presented,

than any other block in the Institution,  
They ignored the CDC Guidelines For  
Social distancing For our Living areas,  
and our Safety.

see Attached

V. Did the incident of which you complain occur in an institution or place of custody in this District?  
If so, where?

SCI Mercer PA

and answer the following questions:

A. Is there a prisoner grievance procedure in this institution?  
Yes  No

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?  
Yes  No

C. If your answer is YES,

1. What steps did you take? Request Form DC-135A also  
Grievance and wrote a Letter to Superintendent

2. What was the result? I never got a response

D. If your answer is NO, explain why not: Never got a response

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities?  
Yes  No

F. If your answer is YES,

1. What steps did you take? Followed Administrative  
Remedies and procedures

2. What was the result? No response From them

VI. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Agiting For Monetary relief of the amount  
of 3.5 million dollars - For personal Injuries - Life threatening

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Attached - complaint Case 2:20-cv-01546-LPL Document 7 Filed 10/19/20 Page 6 of 8  
They understood, and disregarded the life and death importance of providing us a plan of action, for our safety against this deadly virus. In April 2020 they only down sized the block to sixity inmates. The officials never had a plan to reduce the four inmates living in the cubes. The amount of inmates with in the cube, presented, the greatest threat in practicing the CDC guideline for social distancing after several request and conversations with the officials about the concerns of officers, not wearing masks and our living condition, we filed grievances. There was available space that would of allowed the changes for our safety. During the months of May, June, July the officials began to interchange large numbers of inmates, from other blocks and jails to GB block. The interchanging of the inmates was a violation of the CDC Guidelines, and to this open unit it created a very dangerous environment. The officials reckless disregard for the scientific suggested safety, practices of safe distance, and large gathering, were potentially lethal. On August 26, 2020, I began to experience heart problems shortness of breath and other symptoms. I was admitted into Sharon hospital for a few days, the Dr. determined I had contracted covid-19 and my heart went into A-Fib as a result of the covid, virus, and I could of died. The virus attacked my heart and the damage is unknown, I am getting follow up treatment with the cardiologist. I am on medication and my life has changed. The number of inmates, that was infected on G-B-block by covid-19 is very alarming and the amount keep rising. No other block in the institution had a outbreak. This outbreak never should of happened and could of been prevented. After the outbreak the officials began to implement the CDC Guidelines as a defense. Their reaction was to late, they should have implemented the social distancing before the outbreak. This shows they know how to prevent this and how to provide safety for our living conditions. I am 59 years old so this is very serious for me at my age.

Defendants:

#1) John Wetzel - In June or July during the lock down he visited G-Block and spoke with inmates about the concerns we had for our living conditions in the cubes. He made the staff remove all the kitchen workers and brought other inmates from different blocks and jails. This move was against CDC advise of social distancing

See Attached-cont.

# 1) The decision Mr. Wetzel made placed us in very dangerous living conditions. As the secretary of correction it was his responsibility to make sure that we had the best chance to stay safe. He never had a plan.

# 2) Melinda Adams- She visited the block frequently and saw the conundrum we were in. I spoke with her personally as she admitted that something needed to be done, but did not have a plan of action. I wrote her a letter addressing the issues. IF the Superintendent knew the problem that we were in but chose not to correct it than she must be held responsible for her action just as I am being held responsible for mine. This caused my personal injury.

# 3) Marcia Combine- She spoke with great concern of the danger we were in because of open unit on the four man living conditions. She was angry and admitted the big mistake the higher officials made by interchanging the large number of inmates. Every time the changes were made she was responsible for the moves as the unit manager. She had great concern about the inmates from the other prison entering G-Block. As the unit manager she had no plan for the unit until we became infected and I almost lost my life by this deadly virus. It was her responsibility for my safety as the unit manager of that block.

October 3, 2020  
(Date)

Oliver George Rutherford PROSE  
(Signature of Plaintiff)